

STATE OF WISCONSIN
BEFORE THE GOVERNMENT ACCOUNT

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VERIFIED CHALLENGE OF SENATOR JIM HOLPERIN

JIM HOLPERIN, first being duly sworn, states as follows:

1. I am an adult resident of Conover, Wisconsin and have been duly elected by the electors of the 12th Senate District to represent said District in the Wisconsin State Senate.
2. On or about April 22, 2011, I received from the Government Accountability Board a copy of a recall petition that was offered for filing ("Recall Petition"). The Recall Petition includes 3,904 separate pages and purports to include approximately 23,300 signatures.
3. As the officer against whom the Recall Petition was filed, I am filing this written challenge to the sufficiency of the Recall Petition pursuant to Wis. Stat. § 9.10(3)(b).
4. On February 22, 2011, the Jim Holperin Recall Committee ("Committee") filed with the Government Accountability Board a GAB-1 and Statement of Intent to Circulate Recall Petition.
5. Upon information and belief, many circulators were paid on a per-signature basis to circulate petitions in the 12th Senate District.
6. Upon information and belief, the circulators sometimes directed additional individuals to collect signatures, also paying on a per-signature basis.

7. Upon information and belief, certain circulators provided false addresses in the certifications executed on the recall petitions that they submitted.

8. Upon information and belief, certain circulators executed certifications on recall petitions that they did not personally circulate.

9. Upon information and belief, certain circulators obtained signatures from Wisconsin electors by misrepresenting the purpose of the recall petition.

10. Upon information and belief, certain circulators forged signatures on petitions.

11. Upon information and belief, the systemic impropriety utilized in obtaining purported signatures is so pervasive that it invalidates each of the implicated signatures, contradicts the circulators' certification, and invalidates all petitions purportedly obtained by numerous circulators.

12. Upon information and belief, the Recall Petition includes the following irregularities, which are supported by the Affidavit of Michael L. Pfohl, attached hereto:

- a. At least 326 signatories to the Recall Petition did not date their signatures, dated their signatures outside the purported circulation period, or signed the Recall Petition subsequent to the respective circulator's certification period. Pursuant to Wis. Stat. § 9.10(2)(e)1-3, these signatures may not be counted.
- b. The residency of at least 1407 signatories to the Recall Petition cannot be determined by the address given. Pursuant to Wis. Stat. § 9.10(2)(e)4, these signatures may not be counted.
- c. At least 1073 signatories to the Recall Petition reside outside of the 12th Senate District. Pursuant to Wis. Stat. § 9.10(2)(e)5, these signatures may not be counted.

d. At least 2 signatories to the Recall Petition are not qualified electors due to age. Pursuant to Wis. Stat. § 9.10(2)(e)7, these signatures may not be counted.

e. ~~At least 47 signatories to the Recall Petition~~ are not qualified electors, as ~~their names appear on the Ineligible Voter List provided by the Government Accountability Board.~~ Pursuant to Wis. Stat. § 9.10(2)(e)8, these signatures may not be counted.

f. At least 231 signatories signed the Recall Petition twice. Pursuant to Wis. Stat. § 9.10(2)(i), these signatures may not be counted.

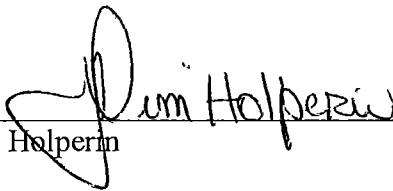
g. At least 139 signatures appear on Recall Petition pages which were not properly certified by the circulator. Pursuant to Wis. Stat. §§ 8.40(2) and 9.10(2)(em), these signatures may not be counted.

14. For the foregoing reasons, the Recall Petition fails to meet the mandatory standards outlined in Wis. Stat. § 9.10 and a recall election is unwarranted by controlling law insufficient.

I, Jim Holperin, first being duly sworn upon oath, state that I personally read the above written challenge and that the above allegations are true and correct based on my personal

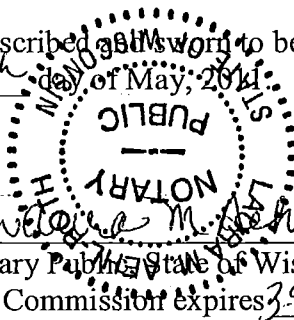
~~knowledge and, as to those allegations stated on information and belief, I believe them to be true.~~

Dated this 5th day of May, 2011.



Jim Holperin

Subscribed and sworn to before me this
5th day of May, 2011.



Victoria M. Stahl RSH
Notary Public State of Wisconsin
My Commission expires 3-9-14